



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE ENVIRONMENT COMMITTEE

March 16, 2009

Ellen Blaschinski, Regulatory Services Branch 509-8171

House Bill 1106 - An Act Concerning The Process Of Remediation Of Releases Of Hazardous Waste And Hazardous Substances

The Department of Public Health supports House Bill 1106

The Department of Public Health views the process outlined in this bill concerning contamination to the soil and ground water as crucial to the protection of public health. In the interest of protecting private and public drinking water wells and strengthening this bill, DPH recommends that DPH be required to receive notification of contamination to ground water that has affected or may affect private or public drinking water wells. Furthermore, DEP should consider also notifying the local health director of the town in which the contamination occurred. DPH has primacy over the regulation of public drinking water sources under the federal Safe Drinking Water Act. Notification of contamination to ground water which could potentially impact public drinking water wells is critical to the protection of public health.

DPH recommends the following amendments to this bill, to provide for proper notification to DPH of contamination to the ground water that is impacting or potentially impacting to public and private drinking water wells:

- Beginning on line 47 the language of this bill should be amended to include the following underlined language: "...contamination exists. If, seven days after such determination, the owner of the subject parcel has not notified the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health, the client of the professional shall notify the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health. If the owner notifies the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health, the owner shall provide documentation to the client of the professional which verifies that the owner has notified the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health."
- Beginning on line 53 the language of this bill should be amended to include the following underlined language: "(2) The owner of a parcel on which exists a source of contamination to soil or waters of the state shall notify the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health if such owner becomes aware that such pollution is causing or has caused contamination of a private or public drinking water well..."
- Beginning on line 61 the language of this bill should be amended to include the following underlined language: "...shall be given to the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health..."
- Beginning on line 77 the language of this bill should be amended to include the following underlined language: "(2) The owner of a parcel on which exists a source of pollution to soil or the waters of the state shall notify the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health if such owner becomes aware that such pollution is causing or has caused contamination of a private or public drinking Water well with:..."

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- Beginning on line 203 the language of this bill should be amended to include the following underlined language: "(2) The owner of the subject parcel shall notify the commissioner of the Department of Environmental Protection and the commissioner of the Department of Public Health in writing not later than seven days after the time such owner becomes aware that the contamination exists."
- Beginning on line 328 the language of this bill should be amended to include the following underlined language: "...receive such notification, (4) the commissioner of the Department of Public Health, and (5) any other person the commissioner specifically identifies in such order."
- Beginning on line 347 the language of this bill should be amended to include the following underlined language: "... notification shall be clearly marked as notification required by this section and shall be either personally delivered to the Department of Environmental Protection and, when required by section 22a-6u of the general statutes, the Department of Public Health or sent by certified mail, return receipt requested, to the Department of Environmental Protection and, when required by section 22a-6u of the general statutes, the Department of Public Health."

DPH feels that the remediation of these hazardous contaminants is important to public health and that appropriate authorities receive notification and priority continue to be given to sites that affect or could potentially affect public drinking water. The departments are continuing to work together on sites that have affected public drinking water supplies and want to continue to set appropriate procedures in place to protect public health.

Thank you for your consideration of the Department's views on this bill.